

## **AGENDA**

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**NOVEMBER 7, 2002  
5:00 P.M. (EST)**

### **1. INVOCATION ROLL CALL MINUTES MAYOR'S REPORT**

### **2. CEREMONIAL ITEMS**

#### **2.1 Downtown Frankfort, Inc. - Candlelight Tour 2002.**

Background: Representatives from Downtown Frankfort have been invited to attend the Board of Commissioners meeting on 11/7/02 to highlight upcoming special events during the holiday season.

The Candlelight Tour 2002 is scheduled for 11/14/02 and is an annual celebration in the Downtown business district to herald the start of the holiday season. Some of the special activities will include a performance by the Lafayette High School's Strolling Strings Orchestra, the Louisville Thoroughbred Chorus, and other distinguished performers. The program will also include carriage rides along Broadway, Ann, Main and Washington streets. The Frankfort School of Ballet will perform as well as the Community Band will appear at the First United Methodist Church.

Upcoming holiday events will also include the Downtown tree lighting and the visit from "Father Christmas" on 12/16/02, and the Civil War Christmas at Fort Hill Park on 12/14-15/02.

#### **2.2 Recognition of Russian Farming Delegation to the City of Frankfort.**

Background: The evening Kiwanis Club will be hosting a delegation of farming representatives from Russia on 11/7/02 in sharing information on agricultural practices in the State of Kentucky. A group of 20-25 representatives will be visiting with the club as well as touring the Buffalo Trace Distillery and meeting with Governor Patton at the State Capitol. As scheduling permits, some of the delegation will visit the Board of Commissioners meeting on 11/7/02 to be recognized for their visit to the City of Frankfort.

### **3. ORDINANCES**

#### **3.1 Second reading of An Ordinance Amending Frankfort Municipal Code, Chapter 2.30. Civil Service for Police and Fire, Section 2.30.050-Same-Parts of Examination; Relative Weight of Tests.**

Purpose: The purpose of this amendment is to balance the weights of the written and oral components of the Fire and Police applicant testing, and to correct an existing error regarding the calculation of the final score.

Background: This ordinance had its first reading on 10/24/02. Currently the written test component bears a weight of 45%, and the oral interview component bears a weight of 55% of

the overall examination score. After compiling the last three eligibility lists it has become apparent that these weights need to be adjusted so that the written test and the oral interview are each weighted at 50%. Additionally, the current ordinance indicates that the relative weights of three (3) tests are averaged to determine the total score. The ordinance should indicate that the relative weights of each of the two (2) tests are averaged. All other components are pass/fail and are not a factor in determining the final score.

The Board of Civil Service has recommended the amendments to the ordinance.

City Manager Comments: This amendment will be of assistance in the upcoming testing and selection of new public safety personnel. As the Board of Commissioners is aware, the Police Department and Fire Department have been very active in filling vacancies within their departments due to retirements and new positions associated with grant programs.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person:

Name: Brenda Kersey  
Title: Personnel Director  
Department: City Manager  
Phone: 502/875-8500  
E-Mail: Bkersey@fewpb.com

3.2 Second reading of An Ordinance Accepting a Portion of Brighton Park Boulevard As a Public Street.

Purpose: The purpose of this item is to consider an ordinance to accept a portion of Brighton Park Boulevard into the City street system for maintenance. This portion of Brighton Park Boulevard was approved and constructed in 1995 and has been used by the public since that time. The street has been inspected and any deficiencies noted have been corrected. The street meets the requirements that were specified at the time of approval. Approval of the ordinance to accept the street will complete the official action required for acceptance into the City street system.

Background: This ordinance had its first reading on 10/24/02.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: jhackbrt@fewpb.com

**4. ORDERS**

None.

**5. RESOLUTIONS**

None.

## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

### 6.1 Bid Award – 2003 Skid Steer Loader with Attachments. (Sewer Department)

Background: On 9/19/02, the Board of Commissioners authorized the Sewer Department to seek bids for a 2003 Skid Steer Loader with attachments. This purchase will allow the Department to perform finish grade work after installing sewer lines. Four sealed bids were received and opened at bid reading on 10/11/02 at 2:00 p.m.

Financial Analysis: Louisville Tractor, Inc. - \$67,909 (LS190 New Holland)  
Masters Equipment Co. - \$54,850.70 (SL6636DXT-80 HP Gehl)  
Masters Equipment Co. - \$53,160 (SL5635DXT-80 HP Gehl)  
Bobcat Enterprises, Inc. - \$53,076.29 (S300 Bobcat)

Bobcat Enterprises, Inc. was the lowest bidder and met all bid specifications. \$75,000 was budgeted in the 2002-03 Sewer Replacement account #300.68.56550 for this purchase.

Recommendation: Authorize bid award for a 2002 Skid Steer Loader with Attachments to Bobcat Enterprises, Inc. in the amount of \$53,076.29.

Attachments: Bid Tabulation Sheet.

Contact Person:

Name: William R. Scalf, Jr.  
Title: P.E., Director  
Department: Sewer  
Phone: (502) 875-2448  
E-Mail: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

### 6.2 Amendment No. 1 to Fuller, Mossbarger, Scott and May Engineers, Inc (FMSM) for professional services associated with Geographic Information System (GIS) services relative to collection of sewer and stormwater facilities in Sanitary Sewer Basin 2. (Sewer Department)

Background: On 05/22/00, the City of Frankfort entered into a Professional Engineering and Management Services Contract with FMSM. Under this contract, a work order was authorized by the City Commission on 12/20/01 in the amount of \$40,600 to perform a facilities inventory in Sanitary Sewer Basin 2 as part of the Department's ongoing Sanitary Sewer Evaluation Study. This proposal was based upon an estimate of 700 structures in the basin at a unit price of \$58.00 per structure. During the fieldwork, an additional 121 structures were found and inventoried raising the total number of structures in Basin 2 to 821.

Financial Analysis: There are funds available in the Sewer Replacement Account 300.68.56550 to cover the additional cost. This work is being funded as part of the ongoing Sanitary Sewer Evaluation Study.

Recommendation: Authorize signing of Amendment No. 1 of the Work Order for Facilities Inventory from the original amount of \$40,600 to a revised amount of \$47,618 to reflect the total number of structures inventoried.

Attachments: Amendment No. 1.

Contact Person:

Name: William R. Scalf, Jr.  
Title: P.E., Director  
Department: Sewer  
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6.3 Agreement for Engineering Services to HMB Engineers, Inc. for the design of separate sanitary sewers for the Holmes Street Combined Sewer Separation Project. (Sewer Department)

Background: HMB Engineers currently has a contract with the City of Frankfort for design of stormwater infrastructure in the Holmes Street Corridor. HMB Engineers has submitted an Agreement for Engineering Services to prepare Contract and Bid Documents for the sanitary sewer design. The engineering fee estimate includes project coordination, preparation of construction drawings and technical specifications, approval by Division of Water, funding assistance, and advertising and bid review. Not included in this agreement for engineering services is acquisition of any required easements, construction administration or resident inspection services. This contract will authorize HMB to begin design of the separate sanitary sewer in conjunction with the stormwater design.

Financial Analysis: Funds are available in the Sewer Replacement Account 300.68.56550 for this project.

Recommendation: Authorize an Agreement for Engineering Services to HMB Engineers for \$162,200 for updating the 201 Facilities Plan to include the Holmes Street Project and prepare plans and specifications for construction of the sanitary sewer portion of the project.

Attachments: Agreement for Engineering Services.

Contact Person:

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Department: Sewer  
Phone: (502) 875-2448  
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6.4 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
Appointment	James Ebert	Police	11/11/02	Patrol Officer Recruit
Appointment	Gary Rubado	Police	11/11/02	Patrol Officer Recruit
Appointment	George Henry	Fire	11/11/02	Part-time EMT
Appointment	Terry W. Briscoe	Fire		Conditional offer of employment*
Appointment	Joseph E. Teasley	Fire		Conditional offer of employment*
Appointment	Bradley K. Kays	Fire		Conditional offer of employment*
Appointment	Brian T. Olds	Fire		Conditional offer of employment*
Appointment	James L. Anglin	Fire		Conditional offer of employment*
Appointment	Nathan S. Wade	Fire		Conditional offer of employment*
Resignation	Kenya Eberhardt	Planning	11/15/02	Payment of 34.25 hours vacation, 6.25 hours of compensatory time.
Retirement	Roy Pulliam	Fire	12/01/02	Payment of 224 hours vacation,

100 hours holiday and 40 hours  
compensatory leave

\* Conditional offers of employment are conditioned upon successful completion of a physical examination, including drug testing. All have successfully completed a thorough background investigation.

Recommendation: Approval.

Contact Person: Brenda Kersey  
Title: Personnel Director  
Department: City Manager  
Phone: 875-8500  
E-mail: Bkersey@fewpb

## **7. BOARD APPOINTMENTS**

## **8. OLD BUSINESS**

## **9. NEW BUSINESS**

### **9.1 Bid Award - Streetscape Phase 2 Project. (Public Works)**

Purpose: The purpose of this item is to recommend that the City Commission grant the bid award for the Streetscape Phase 2 Project to Meyer Midwest, Inc.

Background: The City Commission approved the Streetscape Master Plan for the Renaissance District in 1999. The Master Plan identified streetscape features in the Downtown core that could be reconstructed to reflect the historic accuracy using the Kentucky Transportation Cabinet's and the Kentucky Heritage Council's Streetscape Design Guidelines. The Streetscape Committee categorized the Master Plan recommendations into four phases of construction. The first phase of the Renaissance District addressed the 300 block of St. Clair and the 200 block of West Main. This phase was completed in the summer of 2000. The improvements have added a historical character to the Downtown core but certain elements of the construction work proved to be disruptive to the merchants. The second phase includes Broadway, portions of West Main, Lewis Alley and Madison Alley. The third phase identified the Corner of Celebrities, the 100 block of West Main, and the 200 block of St. Clair. The City has applied for funding for the third phase but has not received approval of the grant funds to date. The fourth phase has yet to be identified by the Streetscape Committee but, the Second Street area is identified as a high priority.

The City Commission authorized bids for the construction of the Phase 2 Project on 12/20/01 and instructed the staff to schedule the construction to begin on 12/26/02. The date was specified so that the construction activities would start after the busy holiday season. The City opened bids for the second phase on 10/4/02. The construction bids were significantly higher than the engineer's estimate due to the high design standards required by the Frankfort Electric and Water Plant Board and the additional conduit placed underground for future use. The Streetscape Committee called a meeting on 10/9/02 to discuss the project after opening the bids. To conform to the grant funding, the Streetscape Committee was asked to rank the individual improvements. The Streetscape Committee ranked the various improvements as shown below. The following is a description of the improvements included in the second phase of the TEA – 21 Renaissance District funding:

<u>Description of Item</u>	<u>BID.</u>	<u>Committee Recommendation</u>
1. Broadway and West Main Pedestrian Crossings	\$51,389.13	-\$51,389.13
2. Madison Street		

Relocate transformers by Plant Board	\$9,800	-\$9,800
Install Lighting by Plant Board	\$2,100	-\$2,100
Install Parking Garage Sign by City	\$4,100	-\$4,100
3. Lewis Street		
New Lighting by Plant Board	\$8,300	-\$8,300
4. Broadway Sidewalks	\$103,937.65	
5. Broadway Lighting and Utility Burials		
Utility Trench for conduit	\$270,053.17	
Light fixtures and poles	\$45,912	
6. Remove sidewalk and steps near S.W. Corner of Broadway and Washington to make intersection ADA compliant	\$3,450	
7. Engineering Fees Design and Mgt.	\$58,200	
TOTAL PROJECT COST	\$557,241.95	
RECOMMENDED DELETIONS	<u>-\$75,689.13</u>	
AMENDED PROJECT COST	481,552.82	

The items not included in the contractor's scope of work for the Phase 2 Project will be pursued by the City. The pedestrian crosswalks can be addressed during the City's 2003 paving program. The City will also install additional lighting along Madison Alley and Lewis Street and will pursue installing a new St. Clair Parking Garage sign on Madison Alley. However, the electrical transformer relocation on Madison Alley will require budgetary support since the transformer is located in an alley and the Committee identified it as a lower priority of the Project.

Financial Analysis: The total project cost for all the items identified in the TEA-21 Streetscape Phase 2 grant application is \$557,241. The project is over budget by \$72,241.95 if the project contingency is used to award the bid.

TOTAL PROJECT BUDGET	<u>\$485,000</u>
RENKY	\$35,000
TE FUNDING	\$250,000
CITY MATCH	\$50,000
CITY CONTINGENCY	\$150,000

Joe Grider, project engineer, recommends deleting the referenced items from the scope of work thus reducing the bid award to Meyer-Midwest from \$474,741.95 to \$422,030.55 and approving a budget amendment of approximately 5% of construction cost (\$25,000) for contingencies. The design engineer has performed the bid analysis and background checks and recommends awarding the bid to Meyer-Midwest, Inc.. The bid award and estimated engineering fees will result in a total project cost of \$480,230.55. Project funding is available through the renaissance district grant, city match and the contingency funds earmarked for this project.

Recommendation: Approve revisions to the Phase 2 Streetscape Project scope of work and authorize the bid award, subject to budget amendment.

Attachments: Memorandum from Grider Engineers dated 10/10/02.

Contact Person

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Jo Schokley  
Grants Manager  
City Manager  
(502) 875-8500  
[jshockley@fewpb.com](mailto:jshockley@fewpb.com)

## 9.2 Proposal Award and Professional Services Agreement – Phase 2 Stormwater Permit through the Kentucky Natural Resources Cabinet. (Public Works)

Purpose: The purpose of this item is to grant the proposal award and approve the professional services agreement with PEH/Quest Engineers for a preliminary study of Phase 2 Stormwater requirements.

Background: The Kentucky Division of Water has officially designated the City of Frankfort and portions of Franklin County as a Phase 2 storm water community. The Phase 2 Stormwater Permit requires the City and the County to evaluate its stormwater system and begin development of a stormwater quality program. Over the next four months, PEH/Quest Engineers will assist the City and County in developing a stormwater program that will be implemented over the next five-year period. Future permit renewals will be required by the Kentucky Natural Resources Cabinet in order to meet State and Federal regulations. The issues that will be addressed during this first phase of the program will include:

1. Define goals and objectives and schedule
2. Review ongoing stormwater activities
3. Cost and Funding Options for the stormwater program
4. Define requirements for the permit - Phase 2 Minimum Controls
  - Public Education and Outreach
  - Public Involvement and Participation
  - Locate and eliminate illicit discharges
  - Construction site stormwater runoff control
  - Post construction storm water management
  - Pollution prevention and good housekeeping
5. Prepare Notice of Intent Application
6. City Review of the Notice of Intent application
7. Final report – March 2003

The City Commission authorized staff to advertise for letters of interest on 5/23/02. From the eight engineering firms that submitted letters of interest, the Selection Committee recommended PEH/Quest Engineers as the most qualified firm to assist the City and County with the Phase 2 program. The City has approached this permit as a joint project with the County to achieve cost savings for both entities. The project's cost participation was determined to be 75% (\$30,000) for the City and 25%(\$10,000) for the County, based on land use.

Financial Analysis: Funds in the amount of \$30,000 are available in the Capital Improvement Account 100-90-53295 for these professional services.

Recommendation: Approval.

Attachments: Agreement.

### Contact Person

Name: Jeff Hackbart  
Title: Director

Vicki Sewell  
Director

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### 9.3 Bid Award - Solid Waste Disposal Services. (Public Works)

Purpose: The purpose of this item is to recommend that the City Commission:

1. Reject the solid waste disposal bids
2. Authorize the City Manager to negotiate a contract extension with BFI Services
3. Authorize the City to re-bid the solid waste services at the discretion of the City Manager upon identifying acceptable service providers

Background: The City Commission authorized advertising for solid waste disposal bids on 6/20/02 upon rejecting the first set of bids. The City Commission rejected the bids since the two bidders did not meet the bid specifications. Waste Services of the Bluegrass was still under construction and did not have an operating permit from the State and BFI Services could not meet the twenty-year term of the contract. BFI Services had three years of capacity remaining in their landfill and were pursuing expansion.

The City opened the second round of bids on 9/10/02 for the solid waste disposal contract as shown below:

BFI Waste Services	\$19.50/ton
Waste Services of the Bluegrass	\$16.00/ton
Republic Services, Inc	\$16.50/ton

The three bids are all lower than the current disposal rate with BFI Waste Service of \$31.84/ton. However, the two received from Republic Services, Inc. and Waste Services of the Bluegrass were considerably lower than the bid from BFI Services. Upon analyzing the total bids price, the two lower disposal rates submitted by Republic and Waste Services of the Bluegrass resulted in a higher total cost. The total cost was higher due to the high transportation cost using City vehicles to haul the waste out of the County. The BFI Services bid for the twenty-year contract is deemed unacceptable since the Benson Valley Landfill has only three years of capacity left and their landfill expansion and zone change has not been approved by the Franklin County Fiscal Court. On 10/24/02, the Planning Commission rejected two waivers relative to the development plan and formerly rejected the zone change.

Financial Analysis – Funds are available for these services but staff does not recommend awarding the contract at this time.

Recommendation: Reject the bids that were opened on 9/10/02 and authorize the City Manager to negotiate a solid waste rate with BFI Services and authorize staff to re-advertise for these services upon the City Manager identifying acceptable service providers.

Attachments: None.

#### Contact Person

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## 10. CITIZEN COMMENTS (Non-agenda items)



**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**